

## Message Text

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44

ACTION DLOS-05

INFO OCT-01 NEA-09 ISO-00 TRSE-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

H-02 INR-07 INT-05 IO-10 JUSE-00 L-02 NSAE-00 NSC-05

NSF-01 OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15

USIA-06 AF-06 ARA-06 EA-06 EUR-12 /143 W

----- 070034

R 091530Z APR 75

FM AMEMBASSY CAIRO

TO USMISSION GENEVA

SECSTATE WASHDC 3255

INFO AMEMBASSY RABAT

AMEMBASSY SANAA

C O N F I D E N T I A L CAIRO 3614

EO 11652: GDS

TAGS: PLOS

SUBJECT: LOS: SUPPORT FOR UNIMPEDED TRANSIT OF STRAITS

REF: A) GENEVA 2287; B) SANAA 788

SUMMARY: EGYPTIAN SUPPORT OF REGIME OF INNOCENT PASSAGE IN STRAITS  
ISSUE IS OUTGROWTH OF ARAB/ISRAELI CONFLICT; DESIRE TO SUPPORT OTHER  
ARAB COASTAL STATES WITH STRAITS PROBLEMS; AND GENERAL POSITION OF  
EGYPT AS THIRD WORLD NATION VIS-A-VIS MAJOR POWERS. SUGGESTION  
HAS BEEN MADE BY AN EGYPTIAN OFFICIAL THAT TIME BETWEEN CURRENT  
AND NEXT LOS CONFERENCE BE USED TO FIND FORMULA FOR EXPANDING REGIME  
OF INNOCENT PASSAGE TO ACCOMMODATE, AT LEAST TO SOME EXTENT,  
REQUIREMENTS OF MAJOR NAVAL POWERS. HOWEVER, NO CONCRETE  
PROPOSALS AS TO HOW SUCH A FORMULA MIGHT BE ARRIVED AT WERE  
PUT FORWARD. NOTHING REALLY INNOVATIVE SHOULD BE EXPECTED  
FROM GOE DEL TO GENEVA LOS CONFERENCE IN COMING WEEKS. BUT, IF DEPT  
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DESIRES, EMBASSY WILLING TO TAKE UP STRAITS QUESTION WITH GOE

HEAD OF DELEGATION WHOSE DEPARTURE FOR GENEVA HAS BEEN DELAYED.  
END SUMMARY

1. DURING DISCUSSIONS WITH VARIOUS EGYPTIAN OFFICIALS  
OVER THE PAST YEAR EMBASSY UNDERSTANDING IS THAT GOE POSITION ON  
STRAITS ISSUE SUPPORTING RIGHT OF INNOCENT PASSAGE IS GOVERNED  
BY 3 FACTORS:

A. OVERALL REQUIREMENTS GROWING OUT OF ARAB/ISRAELI CONFLICT.  
ISSUE OF PRIMARY CONCERN IS NOT ONLY STRAITS OF TIRAN, BUT  
MORE IMPORTANTLY BAB EL-MANDEB AT ENTRY TO RED SEA FROM INDIAN  
OCEAN. EGYPTIANS ARE OF VIEW THAT BAB EL-MANDEB MUST BE  
UNDER CONTROL OF COASTAL STATES AND INNOCENT PASSAGE APPLIED  
TO LIMIT TRANSIT STRAITS BY VESSELS IN SUPPORT OF ISRAEL.  
EGYPTIANS, WITH WHOM WE HAVE TALKED, HAVE ALWAYS SPOKEN IN  
TERMS OF STRAITS OF TIRAN AS CONNECTING HIGH SEAS TO  
TERRITORIAL SEAS (GULF OF AQABA), TO WHICH THEY ALSO APPLY  
DOCTRINE OF HISTORICAL WATERS. MFA OFFICIALS ARE AWARE OF  
US READINESS TO ACCEPT REGIME OF UNIMPEDED TRANSIT APPLIED  
ONLY TO STRAITS CONNECTING HIGH SEAS AND US WILLINGNESS TO  
ALLOW PARTIES TO RESERVE POSITION ON STRAITS CONNECTING HIGH  
SEAS TO TERRITORIAL SEAS (TIRAN).

B. RELATIONSHIP WITH OTHER ARAB COUNTRIES HAVING STRAITS'  
PROBLEM. EGYPTIAN OFFICIALS HAVE EXPRESSED NEED ON GOE'S PART  
TO SUPPORT OTHER ARAB COUNTRIES ON RIGHT OF COASTAL STATE  
TO EXERCISE CONTROL OF STRAITS CONNECTING HIGH SEAS TO HIGH  
SEAS (I.E. MOROCCO, YEMEN ARAB REPUBLIC (YAR) AND OMAN).  
EGYPTIANS FEEL THAT MOROCCO, PARTICULARLY IS ENCOUNTERING  
DIFFICULTY THESE DAYS ON STRAITS ISSUE AND TERRITORIAL  
DISPUTE WITH SPAIN AND SHOULD BE SUPPORTED. IN CASE OF YAR, GOE  
NOT ONLY WISHES TO SUPPORT FELLOW ARAB STATE, BUT TO MAKE SURE  
THAT BAB EL-MANDEB WILL NEVER BE PERMITTED TO BE USED AGAINST  
ARAB CAUSE/EGYPT'S VITAL INTERESTS. ONE SENSES READINESS TO  
BOLSTER UP A "FLEXIBLE" YARG (SANAA 788), SHOULD THERE BE A  
NEED TO DO SO. WITH REGARD TO OMAN, EGYPTIANS HAVE INDICATED THAT  
SUPPORT FOR OMAN POSITION ON INNOCENT PASSAGE IS SIMPLY IN  
GOE'S INTEREST. AT SAME TIME, HOWEVER, WE HAVE NOT HEARD  
CRITICAL COMMENT CONCERNING IRAQ, WHICH SUPPORTS UNIMPEDED  
PASSAGE (I.E. THROUGH STRAITS OF HORMUZ). IRAQ'S POSITION  
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IS JUST PASSED OFF AS FACT OF LIFE AND AN OUTGROWTH OF  
GEOGRAPHIC SITUATION.

C. GOE POSITION VIS-A-VIS THIRD WORLD AND MAJOR POWERS. THERE  
APPEARS TO BE ALMOST AN INSTINCTIVE TENDENCY ON PART OF  
EGYPTIANS TO POSTURE WHEN IT COMES TO A SITUATION IN WHICH  
MAJOR POWERS (U.S., USSR, UK AND ALSO FRANCE) WITH THEIR  
NAVAL FORCES APPEAR TO BE ARRAYED AGAINST THIRD WORLD

COUNTRIES. THUS, THERE IS A TENDENCY TO EXPRESS AN AFFINITY WITH INDONESIA AND EVEN SPAIN WHEN IT COMES TO STRAITS' ISSUE.

2. WITH REGARD TO QUESTION AS TO HOW GOE MIGHT BE INFLUENCED TO ALTER ITS POSITION, OR AT LEAST TO MOVE FORWARD SOME ACCOMMODATION, IMPRESSION WE HAVE GAINED FROM EGYPTIANS IS THAT THEY DO NOT CONSIDER CURRENT MEETING IN GENEVA A HIGH-POWERED FORUM. IT IS REGARDED AS A ROUTINE FOLLOWUP OF CARACAS WHICH IS NOT EXPECTED TO COME TO GRIPS WITH MAJOR ISSUES. SUGGESTION HAS BEEN MADE BY ONE MFA OFFICIAL THAT SOME FORMULA SHOULD BE SOUGHT TO EXPAND REGIME OF INNOCENT PASSAGE TO ALLOW FOR TRANSIT OF WARSHIPS AND SUBMERGED SUBMARINES IN A FASHION SATISFACTORY TO BOTH NAVAL POWERS AND COASTAL STATES. PERIOD BEEN CONFERENCES, I.E. AFTER GENEVA, MIGHT BE USED TO ARRIVE AT AND FLOAT FORMULA WITH INTERESTED STATES. GENEVA, HOWEVER, MIGHT BE PLACE TO START SUCH AN EXERCISE. WHEN POINT WAS MADE BY EGYPTIANS THAT REGIME OF INNOCENT PASSAGE COULD BE EXPANDED, NO ONE WAS ABLE TO SUGGEST HOW THIS MIGHT BE DONE.

3. IT IS INTERESTING TO NOTE THAT, WHEN MATTER OF AIRCRAFT OVERFLIGHT OF STRAITS IS MENTIONED, EGYPTIANS EMPHATICALLY MAKE POINT THAT LAW OF SEA HAS NOTHING TO DO WITH AIRCRAFT. CHICAGO CONVENTION IS CONSIDERED APPLICABLE INTERNATIONAL LEGAL FRAME OF REFERENCE.

4. IN FINAL ANALYSIS, THERE DOES NOT SEEM TO BE GREAT DEAL OF ROOM FOR MOVEMENT ON STRAITS ISSUE AS FAR AS EGYPT IS CONCERNED. EGYPT IS COMMITTED IN THE EYES OF OTHER, ESPECIALLY ARAB, STATES ON THE STRAITS ISSUE. GOE DEL TO GENEVA IS NOT HIGHPOWERED. WE LEARNED ONLY RECENTLY (AND THEN BY CHANCE) THAT AMB OSMAN, WHO WAS TO HAVE HEADED LOS DEL, IS STILL IN CAIRO. FONMIN FAHMY, REPORTEDLY HAS HIM WORKING ON SOME CONFIDENTIAL

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SPECIAL PROJECT. HE IS, HOWEVER, SUPPOSED TO DEPART FOR GENEVA IN A WEEK OR SO. EVEN THEN GOE DEL STILL WILL NOT HAVE MUCH FREEDOM OF ACTION, ACCORDING TO OUR MFA CONTACTS, AND WILL RELY LARGELY ON INSTRUCTIONS FROM CAIRO. CONSEQUENTLY, ONE SHOULD NOT EXPECT ANYTHING INNOVATIVE TO COME FROM THEM IN COMING WEEKS.

5. IF DEPT FEELS THAT IT MIGHT BE USEFUL, HOWEVER, FOR EMBASSY TO MAKE REPRESENTATION TO AMB OSMAN BEFORE HIS DEPARTURE FOR GENEVA, WE WOULD BE PREPARED TO DO SO, PROVIDED THAT LINES OF POSSIBLE APPROACH ARE FURNISHED.  
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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** POLICIES, LAW OF THE SEA, INNOCENT PASSAGE, MEETINGS, STRAITS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 09 APR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 75 GENEVA 2287, 75 SANAA 788  
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